

Rankin & Taylor

Attorneys at Law

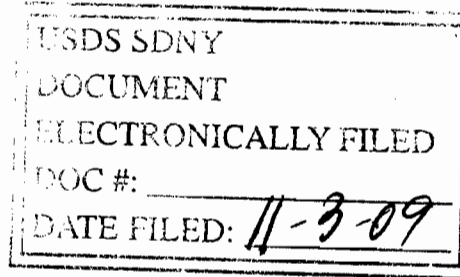
350 Broadway, Suite 700
New York, NY 10013

David@DRMTLaw.com
Phone: 212-226-4507
Fax: 212-658-9480

VIA HAND DELIVERY ONLY

November 2, 2009

Hon. Victor Marrero
United States District Judge
500 Pearl Street, Suite 660
New York, NY 10007



**RE: Fokusorgbor, Fred v. The City of New York, et. al.
09 Civ. 1165 (VM)**

Dear Honorable Judge Marrero:

I write to request a sixty (60) day extension to all dates on the Civil Case Management Plan agreed to by the parties and filed on July 17, 2009. All fact discovery is set to close on November 17, 2009 and requests to admit are currently set to be served on November 3, 2009. Plaintiff's expert discovery is set to conclude on December 17, 2009 and defendants' expert discovery is set to close on January 18, 2009. Additionally, we have a case management conference set for November 20, 2009 at 11:15 AM. This is the first request for an extension of the discovery schedule and the Defendants join in this request.

The reasons for request for an extension are that document discovery has yet to be completed. Plaintiff served interrogatory and document demands on the City on July 17, 2009. The City substituted counsel at the end of August. Plaintiff and the Defendant agreed to extend the City's time to answer discovery demands to September 25, 2009 and on October 1, 2009, the City served the same. The City's responses, however, indicated that additional requested documents would be forthcoming upon Plaintiff's entering into a protective order. The City has yet to provide Plaintiff a copy of said protective order, but, during a conversation between counsel on the week of October 26, 2009, Defendants agree to produce the protective order this week for Plaintiff's review. Additionally, there are psychological documents in Plaintiff's possession that we are requesting that the Defendants' enter into a protective order prior to producing these documents. A proposed protective order for the psychological records was provided by Plaintiff on August 19, 2009. During the same conversation referenced above, Defendants agreed to review the same this week.

Hon. Victor Marrero
November 2, 2009
Page 2 of 2

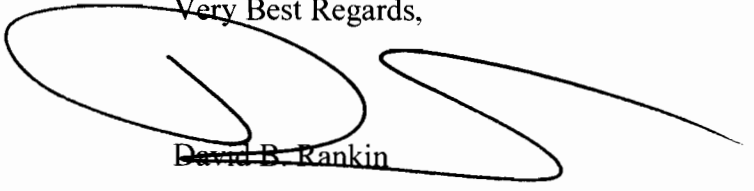
The parties have agreed to hold the deposition of the Plaintiff on December 15, 2009 and the individual Defendants on December 17 and 22, 2009.

The new discovery dates would be as follows:

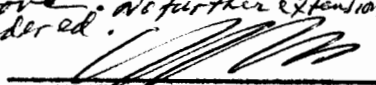
Requests to Admit would be served on January 2, 2010;
All fact discovery would be closed on January 16, 2010;
Plaintiff's expert discovery would close on February 15, 2010;
Defendants' expert discovery would close on March 19, 2010; and
A one (1) hour settlement conversation would take place between the parties by January 22, 2010.

The parties further request the case management conference currently set for November 20, 2009 at 11:15 AM be postponed until a time at the Court's convenience after the close of fact discovery.

Very Best Regards,


David B. Rankin

DBR/
cc: Client
C. Counsel – Maurice Hudson

Request GRANTED. The Case Management Plan for this action is amended so as to extend the time for completion of <u>fact discovery</u> to <u>1-16-10</u> . Any other related deadline affected by this extension shall be similarly modified as set forth above. No further extensions will be considered.	
SO ORDERED.	
11-3-09 DATE	VICTOR MARRERO, U.S.D.J.